

File 122, Denton Co ✓

FANNIN SCRIP.

Ab. 1285

Chas V. Hohenberger

Thos. Foley  
320 ac.

Old wrappers within

Certificate No. 80

289

Patented July 26/1859.  
no 261 vol 4

Mgl. 121d.

**Contents.**

No. 1. Certificate.

No. 2 & 3. Field Notes.

No. 3. afft

475. Old wrappers

Dec 15/77 Larky.

A. B. Vol.

P.

REPUBLIC OF TEXAS.

LAND SCRIP.

320 ACRES OF LAND.

TO ALL TO WHOM THESE PRESENTS SHALL COME.

BE IT KNOWN That I, SAM. HOUSTON, President of the Republic of Texas, by virtue of the authority vested in me by joint resolution of both houses of Congress, and passed into a law on the tenth day of December, eighteen hundred and thirty-six, which authorizes and requires me to issue to THOMAS TOBY, of New Orleans, Land Scrip to the amount of five hundred thousand acres, as the recognised Agent of this Republic, and in the discharge and fulfilment of obligations attendant thereon. Therefore, I, SAM. HOUSTON, President as aforesaid, in compliance with the provisions of the above recited act, DO DECLARE THAT Thomas Toby

Three hundred and twenty acres of the public domain of Texas, according to the following conditions, TO WIT:

- ARTICLE 1st.—That NO PREFERENCE shall be given to any person or persons who may have hitherto obtained Lands from the Government of Texas, or purchase or bounty lands, or shall hereafter obtain them in that manner, over the holders of this Scrip, if such lands have not been already located.
- ARTICLE 2d.—When the Land Offices of this Republic shall be opened, (of which the world will be duly apprised,) the holder or holders of this Scrip shall be entitled to make his or their location, on just and equitable terms with all other persons now holding Scrip; and no priority of election shall be given to those who at present hold Scrip, over the purchasers of this Scrip.
- ARTICLE 3d.—The holder of this SCRIP shall receive his TITLE without any other expense than the purchase money.
- ARTICLE 4th.—In order to hold lands by virtue of this Scrip, a residence in Texas shall not be necessary.
- ARTICLE 5th.—This SCRIP shall be transferrable by endorsement on the back hereof, in the following form, To WIT:—"For value received, I hereby transfer, assign, and set over all the right, title and interest, which this Scrip gives me to the Lands herein named, to legal representatives." Which assignment must set forth the residence of the purchaser, be dated and signed by the seller, in the presence of Two WITNESSES, who must also sign; and no other act or sale of transfer shall be required, to enable the purchaser or purchasers to enter the said land and take possession thereof.

And in order that the Rights and Interests acquired by virtue of this Scrip, shall at all times be maintained and preserved, Therefore, I, SAM. HOUSTON, President of the Republic of Texas, have signed the same, and caused my Private Seal to be also affixed, there being no seal of office yet provided.

Done at Columbia, this Twentieth day of December 1836.  
Secretary of the Treasury,

Henry Smith

Sam Houston



Nov. 57  
Rob. Rob

The State of Texas }  
County of Denton }

T  
Foby  
Davi

Field Notes of

Scale 4000 varas to the inch a Resurvey of Three Hundred and twenty acres of Land made for Thomas Foby by virtue of Certificate No 80 issued to him at Columbia, Bogoria County 20th of December 1836

Said Survey is situated in Denton County on the waters of Hickory Creek a tributary of Denton Creek about 4 miles ~~SE~~ ~~SW~~ out ~~85~~ W. from Denton. —

Beginning at the SW corner of a Survey in the name of John Davis — Thence Met 1900 varas a post — — — — — Thence North 950. varas a post — — — — — Thence East 1900 varas, a post — — — — — Thence South 950 varas to the place of beginning

A. James } Chain }  
B. Hardin } Carriers } Resurveyed June 27th 1859

J. S. Beebe County Surveyor of Denton County do hereby certify that I have this day made the foregoing Survey from the Records in my office that the same is correct and the Survey made according to Law, that the limits boundaries and corners, with the marks natural and artificial are truly described in the foregoing plat and Field Notes, and that they are recorded in my office in Book H. at Page 333 —

Given under my Hand at Denton this 27th day of June 1859 —

J. S. Beebe Co. Sur. &c.

Original Field Notes cancelled

21

<sup>tot</sup>  
Full 1822.  
Summit Scrip

Corrected

Full notes 321100,

Chas. C. Hohenberger

Full July 6 1859

Correction the map  
in Denton county.

July 25 59 <sup>four pages</sup>

Palmer

68/2 Aug  
" "  
J. A. G. B. etc.

300 Acres  
Field Notes  
Thomas V. V. V.

8/10/59

The State of Ohio }  
County of Hamilton } St.  
City of Cincinnati }

Be it remembered that on this the second day of May, A.D. Eighteen Hundred and <sup>fifty</sup> five, (1855) before me Alexander H. Le Guffey, Commissioner in Ohio, appointed and commissioned by the Governor of Texas, and authorized to administer oaths, Take and certify affidavits to designed to be used in said State of Texas, personally appeared Charles C. Hohenberger, of lawful age, who being by me duly sworn, deposes and says that he is the owner of Certificate N<sup>o</sup> 50 of what is called the Doty's Scrip, for 320 acres of land in the State of Texas; that he purchased said Scrip from A. S. Thurston, in the City of New Orleans and State of Louisiana, about the 13<sup>th</sup> day of May 1837, and that thereupon said Thurston assigned the same in blank; and that of part has been ever since, and still is the owner of said Scrip. Affiant further says that he has placed said Scrip in the hands of William Little of the City of Galveston, and State of Texas, for the purposes of location; and that he has authorized, and now hereby again authorizes and empowers said Little, or such other person as said Little may in writing appoint, to fill out said assignment in his, (the affiant's) name; and to do any and all other acts which may be ne-

necessary for the perfecting of said assignment.  
In testimony whereof, I have John C. Hokenberg  
caused this affidavit to be  
subscribed in name, and  
now hereto affix my signature and official seal  
at Cincinnati Ohio, this the day and year here-  
inafter written.

A. McJiffer



Commissioner in Ohio  
for Texas

File 122 No 3  
Jannin Brief

Oath of C. C. Hoken  
berg Claiming Cont. of  
A. J. Thurston.

Filed July 22<sup>d</sup> 1890.

Wm. Corp. of this pt. D. Taylor

4

W 122

Jamin's Scip

---

A. S. Houston  
agent

320 acres

---

Not on map Feb 28/56

H. Wilkie

Name of connecting survey  
has been left out. July 19/56  
Prep.

C. C. Schenck has  
filed an affidavit made  
in Cincinnati Ohio that  
he is the owner of this Scip  
by purchase from A. S. Houston  
& I see there is a

Change the name on the  
Books to A. S.

A. S. Black 5473 1/2

My W 122

P. A. Black 2473 2/34

U. C. G.  
+ Oct. 24/56

5. J

Denton Co 34

File 122

76.

Fannin Scrip.

Chas. C. Hohenberger.

320 Acres. No 80

Correct on the map in Denton County. July 25/37  
Mistake  
J. M. S. S.

Scrip approved

Court for patenting original  
Elgin

Patented July 24 1837

W. M. S. S.

No 261 vol 4

Wm Siller

J. A. B. 40113 556

M. P. Reg. 2 A. R. 236

Regt 2 P. 236 "CC"  
cc July 25/37 Oct 4/38

Power of Attorney from John S. Schenckinger to Mrs. Sattie H. Schenckinger  
to Mrs. Sattie March. 21 1815. See his letter of 24<sup>th</sup> March

No 1 full notes  
No 2 Certificate No  
Affidavit  
Nos 22<sup>o</sup> 73 Celled in

vol 4  
Page 221  
scrip